

IN THE MICHIGAN COURT OF APPEALS
ORDER

Re: **Mary P Ferris v Sams East Inc**
Docket No. **289527**
L.C. No. **2007-087509-NO**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The order entered December 3, 2008, from which appellant has claimed an appeal, is not a final order because it is not the *first* order that disposed of all the claims and adjudicated the rights and liabilities of all the parties. MCR 7.202(6)(a)(i). Rather, the order entered October 24, 2008 that granted summary disposition to defendant was the final order. The December 3, 2008 order was merely redundant to the actual final order. At this time appellant may seek to appeal the October 24, 2008 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 20 2009
Date

Sandra Schultz Mengel
Chief Clerk